

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03 MDL No. 1570 (GBD)  
ECF CASE

This document relates to:

*Burnett v. Al Baraka Inv. & Dev. Corp.*, 03-CV-9849  
*Federal Insurance Co., et al. v. Al Qaida, et al.*, Case No. 03-CV-6978

**MOTION TO DISMISS PURSUANT TO RULE 12(B)(6) FOR  
FAILURE TO STATE A CLAIM**

Defendant Samir Salah, by and through undersigned counsel, hereby moves this Court pursuant to Federal Rule of Civil Procedure 12(b)(6) to dismiss the claims asserted against him in *Burnett, et al. v. Al Baraka Investment & Development Corp., et al.*, Case No. 03-CV-9849 (RCC) and *Federal Insurance Co., et al. v. al Qaida, et al.*, Case No. 03-CV-6978 (RCC).

Dated: August 23, 2007

Respectfully submitted,

DLA PIPER US LLP

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